IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.13086 of 1995

Between:

1 Kuchipudi KesavaRao S/o. Venkat Rao
R/o.Raghudevapuram, Seethanagaram Mandal, East Godavari district.
2 Kuchipudi Venkat Rao S/o. Kesavarao
R/o.Raghudevapuram, Seethanagaram Mandal, East Godavari district.

...PETITIONERS

AND

1 The District Collector, East Godavari,
KAKINADA.
2 The Revenue Divisional Officer and Land Acquisition Officer,
Rajahmundry, E.G.Dist.
3 The Mandal Revenue Officer, Seethanagaram Mandal,
East Godavari District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction declaring the acquisition of the land in Sy.Nos. 87/1A of 7.74 cts.; 87/1B of 4.26 cts., 88/1B of 3.33 cts. and 88/2 of 2.82 cts. in Raghudevapuram Village, Seethanagaram Mandalam, East Godavari District, as illegal, null and void and for a consequential order directing the respondents to drop all further proceedings.

Counsel for the Petitioners: MR.M.V.SURESH

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following:

ORDER:

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This writ petition is filed seeking a writ of mandamus to declare the action of the respondents in acquiring the lands in Sy.Nos.87/1A, 87/1B, 88/1B and 88/2 situated at Raghudevapuram village, Seethanagaram Mandal, East Godavari District as illegal and arbitrary and consequently to direct the respondents to drop all further proceedings.

A counter affidavit has been filed by the respondents stating that in this case no award was passed within the stipulated time inasmuch as the records were not returned from the Special Officer, and as such, the acquisition proceedings were lapsed.

In view of the above submission made in the counter affidavit,
I am of the opinion that the acquisition proceedings stood withdrawn. In the circumstances, it is not necessary to go into any further questions.

The writ petition is accordingly dismissed. There shall be no order as to costs.

09.06.2005

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Copy To:

1 The District Collector, East Godavari,
KAKINADA.
2 The Revenue Divisional Officer and Land Acquisition Officer,
Rajahmundry, E.G.Dist.
3 The Mandal Revenue Officer, Seethanagaram Mandal,
East Godavari District.

4. Two CCs to GP for Land Acquisition, High Court Buildings, Hyderabad (OUT).

5. Two CCs to GP for Revenue, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.